

Walter O'Cheskey
Standing Chapter 13 Trustee
6308 Iola Avenue
Lubbock, TX 79424
(806) 748-1980 Office
(806) 748-1956 Fax

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

IN RE:	§	
	§	
TERENCE ANDREW RYAN	§	CASE NO. 08-70072-HDH-13
	§	
	§	HEARING DATE: 03/18/2009
DEBTOR(S)	§	HEARING TIME: 11:00 A.M.

**TRUSTEE'S OBJECTION TO DEBTOR(S) MODIFICATION OF CHAPTER 13 PLAN
AFTER CONFIRMATION**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW WALTER O'CHESKEY, Standing Chapter 13 Trustee (hereinafter referred to as "Trustee"), and files this Objection to Debtors' Second Modification of Chapter 13 Plan after Confirmation and would respectfully show the Bankruptcy court:

1. Debtor filed for chapter 13 bankruptcy relief on 2/29/2008 and Walter O'Cheskey was appointed trustee of the bankruptcy estate.
2. Debtors obtained confirmation on 4/16/2008.
3. Debtors filed a Modification of Modified Chapter 13 Plan after Confirmation on 2/9/2008.
4. Trustee objects to debtor(s) modification in that debtor(s) have not filed amended Schedules I&J to support the plan payment reduction requested.
5. Trustee further objects to debtors' plan in that said plan does not comply with 11 U.S.C. 1325 (a) (3) as debtors are not devoting all available disposable

income to their chapter 13 plan and therefore, are not proceeding in a good faith repayment of creditors.

WHEREFORE, the Trustee prays that the Bankruptcy Court deny confirmation of the Debtor's Chapter 13 Plan and for such other relief to which this bankruptcy estate may be justly entitled.

Date: March 11, 2009

Respectfully submitted,
/S/ Walter O'Cheskey
Walter O'Cheskey, Trustee
6308 Iola Avenue
Lubbock, TX 79424

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Trustee's Objection to Debtor(s) Modification of Chapter 13 Plan after Confirmation was this date served on the following parties at the addresses listed below by either electronic service or by U.S. First Class Mail:

William Neary
United States Trustee
1100 Commerce Street, Room 9C60
Dallas, Texas 75242

Debtors
TERENCE ANDREW RYAN
1301 HILLCREST DRIVE
GRAHAM, TX 76450

Debtors Attorney
MONTE WHITE ESQ.
1106 BROOK AVE HAMILTON PLACE
WICHITA FALLS, TX 76301

Date: March 11, 2009

/S/ Walter O'Cheskey
Office of the Standing Trustee